IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 683 of 2005

Between:

1 E.Thimmappa S/o.Devappa
T.F.T.Licence Holders and R/o. Manchala Village Mantralayam)

Kurnool District.
2 E.Raganna S/o.Devappa
T.F.T.Licence Holders and R/o. Manchala Village Mantralayam)

Kurnool District.
3 E.Hampanna S/o.Khajanna Goud
T.F.T.Licence Holders and R/o. Manchala Village Mantralayam)

Kurnool District.

..... PETITIONER(S)

AND

1 The Excise superintendent, Kurnool District., Kurnool.
2 The Prohibition and Excise Inspector Yammiganur Circle, Yemmiganur, Kurnool District.

.....RESPONDENT(S)

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of writ of Mandamus directing the respondents to grant licence pursuant to the application of the petitioners dt.26.10.2004 under the Tree for Tappers Scheme for the Excise year 2004-2005 at Manchala Village (Mantralayam), Kurnool District and to pass such other order or orders.

Counsel for the Petitioner:MR.M.RAMALINGESWARA REDDY

Counsel for the Respondent No.: GP FOR PROHIBITION & EXCISE

The Court at the stage of admission made the following ORDER:

The petitioners claim to have submitted applications on 26-10-2004 to the respondents with a request to grant T.F.T. Licence to them. They plead that they fulfilled the conditions for grant of licence and that their applications are kept pending without any basis.

Heard learned counsel for the petitioners and learned Government Pleader for Prohibition and Excise.

Under the A.P. Excise Act and the Rules made there under, the first respondent is conferred with the power to grant various kinds of licences. The excise policy, which is issued year after year, describes the procedure for issuance of licences under the T.F.T. scheme to the tappers. Necessary instructions are issued from time to time prescribing the qualifications for issuance of such licences. The question as to whether the petitioners fulfilled the qualifications and whether it is permissible to issue T.F.T. licences under the current policy, needs to be verified by the first respondent. This Court cannot give any opinion as to the eligibility of the petitioners for grant of T.F.T. licences. The applications of the petitioners cannot be kept pending indefinitely.

The writ petition is accordingly disposed of directing the first respondent to consider the applications of the petitioners dated 26-10-2004 and pass appropriate orders therein, within a period of six weeks from the date of receipt of a copy of this order. No order as to costs.

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25-01-2005

Note: Issue C.C. by one week.

(B/o)

kdl

To

1 The Excise superintendent, Kurnool District., Kurnool.
2 The Prohibition and Excise Inspector Yammiganur Circle, Yemmiganur, Kurnool District.

3 Two C.Cs. to the Government Pleader for Prohibition & Excise, High Court of A.P., Hyderabad (OUT).

4 Two C.D. Copies.